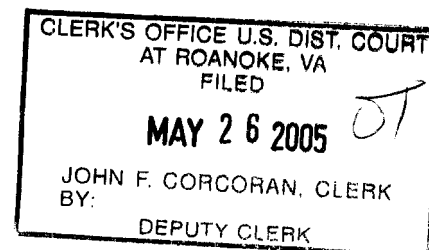


**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**



BENJAMIN H. JONES, #155438,
Plaintiff,

v.

S. FLEMING, et al.,
Defendants.

Civil Action No. 7:05-cv- 00320

FINAL ORDER

By: Hon. James C. Turk
Senior United States District Judge


In accordance with the memorandum opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that plaintiff's complaint and attachments are hereby **FILED** for administrative purposes only as a civil rights complaint, pursuant to 42 U.S.C. §1983; plaintiff's motion for in forma pauperis status shall be and hereby is **DENIED**, pursuant to 28 U.S.C. §1915(g); and the action is hereby **DISMISSED** without prejudice and is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff and to counsel of record for the defendants, if known.

ENTER: This 25th day of May, 2005.



Senior United States District Judge

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